

11.02.2025
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as
[REJECTED]

C. R. M. (A) 423 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Belda Police Station Case No.77 of 2024 dated 05.04.2024 under Sections 376(2)(f)/506 of the Indian Penal Code.

In Re: ***Suman Acharya.***

... .. Petitioner

Mr. Kunal Ganguly
Mr. Sudip Kushari

... .. for the petitioner

Md. Zubair Alam
Mr. Tirupati Mukherjee

... .. for the State

1. Petitioner contends he is related to the victim. There is delay in lodging First Information Report. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the statement of the victim lady. In her statement she alleges petitioner had gone inside the room and forcibly raped her.
4. Keeping in mind the aforesaid nature of allegation and as petitioner is the principal accused and does not stand on the same footing with co-accused viz., Sefali who has been granted pre-arrest bail, we are not inclined to grant anticipatory bail to the petitioner.
5. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)